

U.S. PROBATION OFFICE

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE**

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)**

Name of Offender: Larry Matthew Adkisson

Docket Number: 3:03-CR-99-001

Name of Sentencing Judicial Officer: The Honorable Thomas W. Phillips
United States District Judge

Date of Original Sentence: January 5, 2004

Original Offense: Count One: Possession of a Prohibited Firearm, 26 U.S.C. § 5861(d)
Count Two: Possession of a Firearm by an Unlawful User of Controlled
Substances, 18 U.S.C. § 922(g)(3)

Class: C Felony

Criminal History Category: I

Original Sentence: Eighteen months imprisonment followed by a two-year term of supervised
release as to each count and to run concurrently.

Modification January 30, 2006: The defendant shall participate in a program of mental health
treatment, as directed by the probation officer, until such time
as the defendant is released from the program by the
probation officer.

Type of Supervision: Supervised Release

Date Supervision Commenced: January 14, 2005

Date Supervision Expires: January 13, 2007

Assistant U.S. Attorney: Steven H. Cook

Defense Attorney: Elizabeth B. Ford

PETITIONING THE COURT

To modify the conditions of supervision as follows:

The defendant shall reside for a period of up to 120 days in a halfway house, such as Midway Sanction Center, to commence immediately upon designation and the defendant shall observe the rules of that facility.

CAUSE


The Court modified Mr. Adkisson's special conditions on January 30, 2006, to include mental health treatment. Pamela McNish, Ph.D. completed a mental health evaluation on Mr. Adkisson on March 20, 2006. Her recommendation for the most effective treatment would be residential type treatment in a structured environment.

During the evaluation period, Mr. Adkisson failed to report for drug screens as directed. On March 15, 2006, a non-compliance conference was conducted with Mr. Adkisson, Supervising United States Probation Officer Jim Kelly, and this officer. On that date, Mr. Adkisson tested positive for opiates. Even though he submitted a prescription for Oxycodone, Mr. Adkisson didn't follow this officer's instructions regarding notification to the physician of his substance abuse history with pain medications. Mr. Adkisson admitted that he needed help and would seek admittance into an inpatient treatment program.

On March 17, 2006, Mr. Adkisson began intensive outpatient treatment at the Peninsula Lighthouse Outpatient Center. Additionally, he has agreed to a modification of his conditions, to include placement at a halfway house for a period of up to 120 days. The structure of the halfway house in conjunction with the intensive outpatient treatment should provide Mr. Adkisson with the tools he needs to remain drug free, obtain employment and become a productive citizen in the community. Random drug screens will continue.

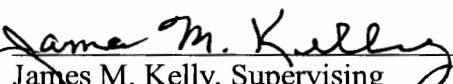
Please find the enclosed waiver of hearing.

Respectfully submitted,



Melissa L. Haduck
U.S. Probation Officer
Knoxville Division

APPROVED:

 03-22-06
James M. Kelly, Supervising U.S. Probation Officer Date

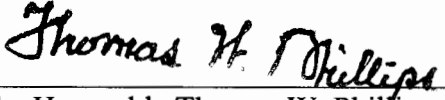
ORDER OF COURT:

The conditions of supervision are hereby modified as follows:

The defendant shall reside for a period of up to 120 days in a halfway house, such as Midway Sanction Center, to commence immediately upon designation and the defendant shall observe the rules of that facility.

So ordered.

ENTER.



The Honorable Thomas W. Phillips
United States District Judge

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

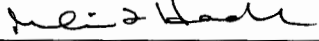
UNITED STATES DISTRICT COURT
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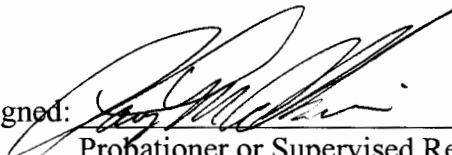
Name of Offender: Larry Matthew Adkisson
Docket Number: 3:03-CR-99-001

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall reside for a period of up to 120 days in a halfway house, such as Midway Sanction Center, to commence immediately upon designation and the defendant shall observe the rules of that facility.

Witness: 
U.S. Probation Officer

Signed: 
Probationer or Supervised Releasee

March 21/06
Date